



BLUE WATER FISHERMEN'S ASSOCIATION

27 July 2020

To: Andrew Lawler
Deputy Assistant Secretary for International Fisheries
NOAA

Jim Sanford
Assistant U.S. Trade Representative for Market Access
and Industrial Competitiveness
USTR

From: Blue Water Fishermen's Association

Re: Request for Information regarding the Interagency U.S. Seafood Trade Task Force
85 FR 41566 July 10, 2020

The Blue Water Fishermen's Association (BWFA) appreciates the opportunity to provide these comments to the Interagency U.S. Seafood Trade Task Force regarding its development of a comprehensive interagency seafood trade strategy. Our membership is comprised of U.S. pelagic longline fishermen for swordfish, tunas and other highly migratory species operating in the Atlantic Ocean including the Gulf of Mexico, along with the shoreside enterprises associated with this valuable U.S. fishery.

Since its founding thirty years ago, BWFA has played a globally-recognized leadership role in advancing the conservation, management and scientific study of HMS fisheries including extensive work on the reduction of bycatch and bycatch mortality, and through active participation in the International Commission for the Conservation of Atlantic Tunas (ICCAT). The results of BWFA's leadership have proved to be of great benefit to the conservation, management and prosecution of many HMS fisheries in the U.S. and worldwide.

In addition to its extensive record in advancing U.S. fishery conservation, BWFA also has a long history of working with Congress and federal agencies in developing and advancing U.S. policies and programs to leverage access to the ever-growing U.S. seafood market as a tool to combat IUU fishing and to otherwise advance U.S. conservation objectives for target and bycatch species. The future of our fishery depends upon the opportunity to compete on a level playing field in the U.S. seafood market and we are substantially invested in pursuing that opportunity.

Comprehensive Strategy

We are advised that the Interagency U.S. Seafood Trade Task Force intends to only address U.S. seafood exports. We do not think it is possible for the Task Force to develop a truly comprehensive interagency seafood trade strategy without also addressing U.S. seafood imports.

U.S. seafood imports are implicated in a stunning array of IUU fishing, forced labor, subsidies and food safety violations. Further, standards of production (and compliance therewith) in foreign fisheries fall far short of the U.S. with respect to target and bycatch species conservation.

These illegal and unfair disparities present an overwhelming anti-competitive challenge to U.S. fisheries that must compete with such imports in the large and growing U.S. seafood market. Of at least as great a concern, such practices also present serious food safety threats to U.S. consumers, and undermine U.S. fishery conservation objectives globally.

We expect that many of these same illegal and unfair practices also present a significant barrier to U.S. seafood export opportunities.

We won't list them all here, but as you well know, there are many U.S. statutory and executive authorities designed specifically to address these illegal and unfair practices and their impacts on U.S. fisheries, U.S. consumers and species conservation.

After working with federal agencies and Congress for the past 30 years to develop legislation and administrative actions to address these many illegal and unfair activities, it is our unfortunate observation that the U.S. has failed to sufficiently or effectively apply and enforce these many authorities. U.S. fisheries, consumers and marine species continue to pay a steep price for this failure. And, our continued overwhelming dependence on imports to meet our seafood consumptive demand presents a significant threat to the food security of the Nation.

We urge the Task Force to take note of all this and to take this important opportunity to develop and coordinate the implementation of a truly effective comprehensive seafood trade strategy that puts those existing U.S. authorities to work, and that identifies any gaps that can be filled with additional legislative and/or executive action.

With that in mind, we are cognizant of the establishment of the Interagency Working Group on IUU Fishing pursuant to the 2019 Maritime SAFE Act. We strongly encourage the Task Force to integrate the work of the Working Group into its development of a coherent comprehensive interagency U.S. seafood trade strategy that addresses both U.S. seafood imports and exports.

China's latest manipulation of the seafood market

As has been widely reported, China recently claimed that shrimp imports from multiple sources in Ecuador tested positive for the coronavirus on the outside of packaging and inside a shipping container.

In response to these reports, it is also reported that FDA confirmed that there is no evidence that Covid-19 is transmitted through food or food packaging. The shrimp incident was preceded by a somewhat similar incident involving salmon and perhaps other food products.

From a U.S. export perspective, is there a risk that China will target U.S. seafood exports with the same strategy if and whenever it might be advantageous to their interests?

From a U.S. import perspective, China's suspension of shrimp imports from Ecuador will result in large quantities of shrimp exports from Ecuador being redirected to the US market - further destabilizing supply/inventory and depressing prices received by U.S. shrimpers. One could easily imagine that same scenario impacting other U.S. fisheries involving other U.S. seafood imports should China continue to pursue this strategy more broadly.

This is to recommend that the Task Force's comprehensive interagency seafood trade strategy address what appears to be a flagrant abuse of trade by China that may impact both U.S. seafood exports and imports. What must be the consequences for China manipulating seafood trade to its advantage by deliberately issuing false or misleading testing data and causing consumer food scares? How can the U.S. protect both its seafood export and import interests in this context?

It is noted that while a protracted WTO case might very well be valid and warranted, it would not be particularly responsive to the immediate impacts of this bad behavior, as China certainly must recognize.

Thank you for your consideration.

Sincerely,



Martin T. Scanlon,
President